REMARKS

Reconsideration and allowance of the present patent application based on the foregoing amendments and following remarks are respectfully requested.

By this Amendment, claims 1, 43 and 46 are amended to further recite the claimed invention without narrowing the scope of any of the claims. No new matter has been added. Claims 1-48 are pending in this patent application.

Entry of this Amendment is proper under 37 C.F.R. §1.116 as the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not present any new issues that would require further consideration and/or search as the amendments merely amplify issues discussed throughout the prosecution; (c) do not present any additional claims without canceling a corresponding number of claims; (d) place the application in better form for appeal; and (e) were not made earlier because they are made in response to the points first presented in the Final Rejection. Entry of the Amendment is thus respectfully requested along with withdrawal of the Final Rejection.

Applicants earnestly request the Examiner to consider their arguments below. If questions relating to patentability remain, the Examiner is invited to contact the undersigned to discuss them to avoid appeal.

Objection to Claims 1, 43 and 46

The Examiner objected to the use of the term "requires" in claims 1, 43 and 46 on the basis that the Applicants do not appear to establish what the requirements are that the subscriber entity requires. Respectfully, Applicants submit that Examiner misreads the relevant language. Applicants submit that the term "requires" relates to the information the subscriber needs to obtain or access (in other words, for) the requested services rather than relating to certain requirements the subscriber entity may have. To further recite the invention and clarify the Examiner's misunderstanding, Applicants have amended claims 1, 43 and 46 without the intention of narrowing any of the claims.

Rejection of Claims 1-31, 33 and 35-42 under 35 U.S.C. §103(a) in view of Mandler

The Examiner continues to maintain the rejection of claims 1-31, 33 and 35-42 under 35 U.S.C. §103(a) as being unpatentable over United States patent no. US 5,732,400 to Mandler et al. ("Mandler"). Applicants respectfully traverse the rejection because the teachings of Mandler fail to disclose, teach or suggest all of the features in the rejected claims.

Mandler's Failure to Teach, Disclose or Suggest Storing a Forwarded Request for Service and Transmitting a Certain Acknowledgement Message to a Registrar Entity

As admitted by the Examiner at page 4, lines 6-9 of the Office Action, Mandler fails to disclose "the principal entity storing the forwarded request and transmitting an acknowledgement message to the registrar entity, the acknowledgement stating acceptance and authentication / authorization information that the subscriber entity requires to obtain or access the requested service" as recited in claim 1. Applicants agree with the Examiner that Mandler fails to disclose this aspect of the claimed invention. However, Applicants further submit that Mandler no where teaches or suggests this aspect of the claimed invention and the Examiner has not made out its *prima facie* case about how this aspect would be obvious from Mandler.

The Examiner indicates at page 4, lines 9-13 of the Office Action that "Mandler teaches that it is known to have accounting packages that establishes Accounts Receivables (A/R) databases storing pertinent data. Col. 10, lines 30-50" and that "Mandler further teaches about providing instructions and rules to the main processor in how to conduct business." Respectfully, this disclosure in Mandler of an accounting system that stores financial data and providing instructions and rules to a main processor in how to conduct business is simply not relevant.

Firstly, Mandler discloses that the clearinghouse has the accounting system, not the seller – e.g., a principal entity. Thus, Mandler does not disclose, teach or suggest a principal entity – e.g., a seller - storing a request. Storing a request by a principal entity is significant in the context of, for example, the use of a session identifier. *See, e.g.*, Applicant's specification, page 18, lines 15-20 and claim 5. A session identifier may be linked to a particular request and, thus, a particular state may be beneficially preserved between the principal entity – e.g., a seller – and a subscriber entity - e.g., a buyer.

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Further, in no way does a general description of an accounting system to store financial data or about providing instructions on how to conduct business disclose, suggest or teach storage of a forwarded request for service or transmission of an acknowledgement stating acceptance and authentication / authorization information that the subscriber entity – e.g., a buyer - requires to obtain or access the requested service.

Mandler simply does not disclose, teach or suggest a principal entity – e.g., a seller - transmitting authentication/authorization information that the subscriber entity – e.g., a buyer - requires to obtain or access the requested service. Such authentication/authorization information can be used, for example, where the subscriber entity wishes to securely receive the requested service from the principal entity. With such information, the subscriber entity may establish a direct secure connection with the principal entity so that the principal entity may provide the requested service to the subscriber entity without an intermediary registrar entity.

As far as Applicants can identify from the passages cited by the Examiner, the only information sent by a seller in Mandler is a quote in response to a buyer RFQ and an acceptance / rejection of a PO. Applicants submit there is simply no disclosure, teaching or suggestion of a principal entity – e.g., a seller - transmitting an acknowledgement message, the acknowledgement stating, in addition to acceptance, authentication/authorization information that the subscriber entity requires to obtain or access the requested service.

Mandler's disclosure of an accounting system, with associated controls, etc., in no way points to the specific method claimed in claim 1. For all intents and purposes, any of a myriad number of methods of storing and transmitting data may be employed to facilitate the operation of the accounting system in Mandler. Mandler simply does not provide the clear and direct suggestion or teaching of this aspect of Applicant's claimed invention as required by law.

Furthermore, Examiner's response on page 2 and page 3, lines 1-2 of the Office Action to Applicants' arguments filed July 21, 2005 does not address Mandler's failure to disclose, teach or suggest this aspect of the claimed invention. Applicants argued that realization of trustworthy acknowledgment of a stored state as recited in claim 1 is new and non-obvious over Mandler. Confusingly, Examiner argues that Applicants' have failed to support that claim 1 is new and non-obvious. Respectfully, Applicants submit that the Examiner has the burden to make a *prima facie* case how Mandler discloses, teaches or suggests claim 1 - not Applicants. Even if Examiner has made a *prima facie* case, which Applicants do not agree, Applicants have provided ample rebuttal and the Examiner has not

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particularly identified how the arguments are unpersuasive. Examiner's bare statement that "Mandler provides for the authentication of both of the parties involved in a transaction" is inaccurate (as further discussed below) and simply does not speak to this aspect of the claim, namely a principal entity – e.g., a seller - storing a forwarded request and transmitting an acknowledgement message to a registrar entity, the acknowledgement stating acceptance and authentication / authorization information that the subscriber entity requires to obtain or access the requested services as claimed in claim 1.

Therefore, for at least the above reasons, Mandler fails to disclose, suggest or teach all the features recited in claim 1. Claims 2-31, 33 and 35-42 depend from independent claim 1 and are, therefore, patentable for at least the same reasons provided above related to claim 1, and for the additional features recited therein. Thus, the rejection of claims 1-31, 33 and 35-42 is traversed and claims 1-31, 33 and 35-42 are allowable.

Mandler's Failure to Teach, Disclose or Suggest the Registrar Entity Verifying the Authenticity of a Certain Received Acknowledgement and Forwarding the Acknowledgment to the Subscriber Entity

Mandler also fails to disclose, teach or suggest "the registrar entity verifying the authenticity of the received acknowledgement message, and, if correct, forwarding the acknowledgement message to the subscriber entity" as recited in claim 1. As noted above, Mandler simply does not disclose, teach or suggest a principal entity – e.g., a seller – transmitting an acknowledgment stating, among another things, authentication/authorization information that the subscriber entity – e.g., a buyer - requires to obtain or access the requested service. Therefore, Mandler cannot disclose, teach or suggest verifying the authenticity of such a message or forwarding such a message to the subscriber entity.

Moreover, even in the context of the transmitted quote in response to a buyer RFQ or acceptance / rejection of a purchase order from the seller as discussed in Mandler, Mandler fails to disclose, teach or suggest the clearinghouse verifying the authenticity of the response or acceptance/rejection, and, if correct, forwarding the response or acceptance/rejection to the buyer.

In the Examiner's response on page 2 and page 3, lines 1-2 of the Office Action to Applicants' arguments filed July 21, 2005, the Examiner argued that "the functions of the clearinghouse and the broker are to insure the authenticity of the buyers/sellers and the security of the transactional services." Respectfully, Applicants disagree. Applicants demand

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that the Examiner point out where Mandler discloses that the clearinghouse and the broker have authenticity and security functions, and more particularly such functions in the context of an acknowledgment message as claimed in claim 1. The role of the financial clearinghouse is to provide "trade credit to buyers 20 and payment and collection services to sellers 10" (Mandler, col. 6, lines 6-8) and to provide "order acceptance and processing capability between buyers 20 and sellers 10." (Mandler, col. 6, lines 13-15). The role of the broker is to provide "an on-line order acceptance and processing capability between buyers 20 and sellers 10." (Mandler, col. 8, lines 25-27). Mandler merely discloses that the communications network 5 can support authenticated, encrypted communications (Mandler, col. 5, lines 65-66) but does not particularly disclose, teach or suggest the authentication function as claimed in claim 1.

Therefore, for at least the above reasons, Mandler fails to disclose, suggest or teach all the features recited in claim 1. Claims 2-31, 33 and 35-42 depend from independent claim 1 and are, therefore, patentable for at least the same reasons provided above related to claim 1, and for the additional features recited therein. Thus, the rejection of claims 1-31, 33 and 35-42 is traversed and claims 1-31, 33 and 35-42 are allowable.

Rejection of Claims 32 and 34 under 35 U.S.C. §103(a) in view of Mandler and Rosen

The Examiner continues to maintain the rejection of claims 32 and 34 under 35 U.S.C. §103(a) as being obvious over Mandler in view of U.S. patent no. US 6,336,095 to Rosen ("Rosen").

Rosen discloses a system for open electronic commerce having a customer trusted agent securely communicating with a first money module, and a merchant trusted agent securely communicating with a second money module. Both trusted agents are capable of establishing a first cryptographically secure session, and both money modules are capable of establishing a second cryptographically secure session. The merchant trusted agent transfers electronic merchandise to the customer trusted agent, and the first money module transfers electronic money to the second money module. The money modules inform their trusted agents of the successful completion of payment, and the customer may use the purchased electronic merchandise.

Like Mandler, Rosen fails at least to disclose, teach or suggest "the principal entity storing the forwarded request and transmitting an acknowledgement message to the registrar entity, the acknowledgement stating acceptance and authentication/authorization information

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that the subscriber entity requires to obtain or access the requested service" and "the registrar entity verifying the authenticity of the received acknowledgement message, and, if correct, forwarding the acknowledgement message to the subscriber entity" as recited in claim 1.

So as Applicants submit above that independent claim 1 is not obvious in view of Mandler and/or Rosen, Applicants accordingly submit that claims 32 and 34, both of which indirectly depend from claim 1, are therefore also not obvious.

Nowhere in the Examiner's response on page 2 and page 3, lines 1-2 of the Office Action to Applicants' arguments filed July 21, 2005 is this rejection or Applicants' arguments thereto filed July 21, 2005 addressed.
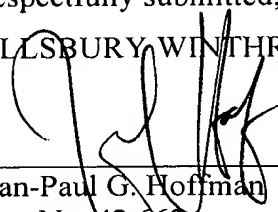
Thus, for at least the above reasons, the combination of Mandler and Rosen fails to disclose, suggest or teach all the features recited in claims 32 and 34. The rejection of claims 32 and 34 is traversed and claims 32 and 34 are allowable.

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance. If questions relating to patentability remain, the examiner is invited to contact the undersigned to discuss them.

Should any fees be due, please charge them to our deposit account no. 03-3975, under our order no. 061047/0265649. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced deposit account.

Respectfully submitted,

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